

Federal Communications Commission

§ 73.642

courses, as well as routine and administrative material pertaining thereto.

(d) A noncommercial educational television station may broadcast programs produced by or at the expense of, or furnished by persons other than the licensee, if no other consideration than the furnishing of the program and the costs incidental to its production and broadcast are received by the licensee. The payment of line charges by another station, network, or someone other than the licensee of a noncommercial educational television station, or general contributions to the operating costs of a station, shall not be considered as being prohibited by this paragraph.

(e) Each station shall furnish a non-profit and noncommercial broadcast service. Noncommercial educational television stations shall be subject to the provisions of § 73.1212 to the extent that they are applicable to the broadcast of programs produced by, or at the expense of, or furnished by others. No *promotional announcements on behalf of for profit entities* shall be broadcast at any time in exchange for the receipt, in whole or in part, of consideration to the licensee, its principals, or employees. However, acknowledgements of contributions can be made. *The scheduling of any announcements and acknowledgements may not interrupt regular programming.*

NOTE: Commission interpretation of this rule, including the acceptable form of acknowledgements, may be found in the Second Report and Order in Docket No. 21136 (Commission Policy Concerning the Noncommercial Nature of Educational Broadcast Stations), 86 F.C.C. 2d 141 (1981); the Memorandum Opinion and Order in Docket No. 21136, 90 FCC 2d 895 (1982), and the Memorandum Opinion and Order in Docket 21136, 49 FR 13534, April 5, 1984.

(f) Telecommunications Service on the Vertical Blanking Interval and in the Visual Signal. The provisions governing VBI and visual signal telecommunications service in § 73.646 are applicable to noncommercial educational TV stations.

(g) Non-program related data signals transmitted on Line 21 pursuant to

§ 73.682(a)(22)(ii) may be used for remunerative purposes.

[28 FR 13660, Dec. 14, 1963, as amended at 35 FR 7558, May 15, 1970; 47 FR 36179, Aug. 19, 1982; 48 FR 27068, June 13, 1983; 49 FR 29069, July 18, 1984; 50 FR 4664, Feb. 1, 1985; 50 FR 4684, Feb. 1, 1985; 61 FR 36304, July 10, 1996]

§ 73.635 Use of common antenna site.

No television license or renewal of a television license will be granted to any person who owns, leases, or controls a particular site which is peculiarly suitable for television broadcasting in a particular area and (a) which is not available for use by other television licensees; and (b) no other comparable site is available in the area; and (c) where the exclusive use of such site by the applicant or licensee would unduly limit the number of television stations that can be authorized in a particular area or would unduly restrict competition among television stations.

[28 FR 13660, Dec. 14, 1963]

§ 73.641 Subscription TV definitions.

(a) *Subscription television.* A system whereby subscription television programs are transmitted and received.

(b) *Subscription television program.* A television broadcast program intended to be received in intelligible form for a fee or charge.

[52 FR 6154, Mar. 2, 1987]

§ 73.642 Subscription TV service.

(a) Subscription TV service may be provided by:

(1) Licensees and permittees of commercial TV stations, and

(2) Licensees and permittees of low power TV stations.

(b) A licensee or permittee of a commercial TV station or a low power TV station may begin subscription TV service upon installation of encoding equipment having advance FCC approval. However, the licensee or permittee of a TV broadcast station (not applicable to low power TV stations) must send a letter to the FCC in Washington, DC, that subscription TV service will commence at least 30 days